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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Application No.: 09/717,057

Filed: November 21, 2000

For: MODULATION OF EXCITABLE TISSUE
FUNCTION BY PERIPHERALLY
ADMINISTERED ERYTHROPOIETIN

Group Art Unit: 1646

Examiner: Chernyshev, O.

Attorney Docket No.: 10165-010-999

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RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.142

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

In response to the Office Action dated September 5, 2001, and pursuant to Rule 142 of the Rules of Practice, please consider the remarks below. Applicants submit concurrently herewith: (1) a Petition to Extend Time (in duplicate) for a period of five months from October 5, 2001 up to and including March 5, 2002, accompanied by the appropriate fee; (2) a Supplemental Information Disclosure Statement, including revised PTO Form 1449 and legible copies of references CR-EF; and (3) Exhibit A: a copy of the pending claims.

REMARKS

The Examiner has required a restriction to one of the following inventions:

- Group I: Claims 1-10, drawn to a method for enhancing the function of excitable tissue, classified in class 514, subclass 2; and
- Group II: Claim 11, drawn to a method for enhancing the function of excitable tissue using an antibody, classified in class 530, subclass 387.1.